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DECOMMISSIONING  
PLANT COALITION

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By Fax

Mr. Lake H. Barrett  
Acting Director  
Office of Civilian Radioactive Waste Management  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, D.C. 20585

Dear Mr. Barrett:

The Decommissioning Plant Coalition (DPC) is pleased to provide its views on the U.S. Department of Energy's (DOE) Yucca Mountain Preliminary Site Suitability Evaluation (PSSE) and the pending decision regarding a site recommendation by Secretary of Energy Spencer Abraham to President George Bush specific to Yucca Mountain. The Decommissioning Plant Coalition is a group comprised of companies with shutdown plants including Yankee Rowe, Maine Yankee, Connecticut Yankee, Dairyland Power, Rancho Seco and Big Rock nuclear stations

It is the DPC's strong conviction that the necessary scientific and technical foundations prescribed by the Nuclear Waste Policy Act, as amended, have been successfully completed. Based on this, we believe it is time for both a favorable recommendation by the Secretary with regard to the development of Yucca Mountain as a federal repository for spent nuclear fuel and high-level radioactive waste, as well as expeditious concurrence by the President with respect to this recommendation.

The DPC's views are based in large part on our collective experience in nuclear operations, as well as the planning and operation of U.S. independent spent fuel storage installations. In the next several years, member companies of the DPC will deploy several hundred spent fuel transportable storage canisters at temporary storage sites throughout the United States.

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Among the considerations influencing the DPC's viewpoint are the following:

**Adequate basis for Yucca Mountain site suitability and scientific due diligence --**

The fact that the Department has spent 20 years and \$6.7 billion on site suitability and scientific investigation speaks for itself. To date, there appears to be no known outstanding issue or operational impediment to Yucca Mountain's qualification for preparation and submission of a construction license application to the U.S. Nuclear Regulatory Commission.

**Clear establishment of Federal obligation --** The Court's have clearly established the Department's contractual obligation to remove spent fuel and high-level waste from utility sites. Yucca Mountain is a key component in meeting this obligation and restoring confidence in the ability of the Department to meet this obligation.

**Demonstrated Safety of Transportation and Spent Fuel Management --** As you are aware, at the beginning of 2001, 233 spent fuel systems had been successfully and safely deployed at U.S. utility dry storage sites over a 15-year period. The safety record of nuclear spent fuel transportation over a longer period time is equally attractive. We are concerned, however, that ratepayers are seeing little if any of the Nuclear Waste Fund directed to the transportation-related program necessary to ultimately remove the spent fuel -- and encourage your efforts to direct resources to this area in conjunction with a favorable site recommendation.

**Growing Urgency for the Establishment of a Federal central storage and disposal site --** Notwithstanding the above success in on-site storage, permanently shutdown nuclear energy plants, which are undergoing decommissioning, are being asked to unilaterally provide for long-term storage of the spent nuclear fuel and high-level waste at our sites. State and local communities have expressed mounting concern that the on-site spent fuel storage at reactor sites may become permanent, especially given the historical delays in the DOE spent fuel management program and long lead times associated with fabrication of the transportation component of the transportation systems necessary to remove the transportable canisters. Favorable consummation of the pending Yucca Mountain site recommendation will be both alleviate this concern and provide a path forward for timely transport of spent fuel to a federal repository.

**Post-September 11, 2001 Perspectives --** Finally, decommissioning power plant security programs are being fully reevaluated as a result of the September 11 terrorists' attacks. While spent nuclear fuel can be stored safely on-site, the ultimate and best solution is for the United States government to meet its statutory and legal obligation to remove the fuel from these sites on a priority basis to a secure federal facility. Used fuel cannot only be more efficiently monitored and protected at a centralized location such as

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the remote Yucca Mountain site in the Nevada desert, but in light of recent events, it now make more sense than ever to remove the fuel on an expedited basis from decommissioning power plants sites to a secure federal protected facility.

Enclosed you will find the DPC Statement of Principles, which outlines other specific actions, which we believe should be deployed in conjunction with a favorable, timely Yucca Mountain site recommendation, including

- **Expediting Department of Energy (DOE) near-term actions to prepare for fuel acceptance;**
- **Resolution of outstanding fuel acceptance issues; and**
- **Mitigation of potential regulatory impediments and unnecessary regulatory burdens.**

We appreciate this opportunity to convey our views and look forward to tangible action on the Yucca Mountain site recommendation and these related issues by Secretary Abraham and the Department.

Sincerely,

*Russell Mellor*

Russell Mellor  
Chairman, DPC  
&  
President & CEO  
Yankee Atomic and Connecticut Yankee

Attachment

Adopted June 2001

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**DECOMMISSIONING PLANT COALITION  
STATEMENT OF PRINCIPLES****Expediting Department of Energy (DOE) Near-Term Actions  
To Prepare for Fuel Acceptance**

- Fabrication and deployment of a demonstration transportation fleet, as well as necessary ancillary equipment, beginning in 2002 with deployment no later than 2005.
- Development of a plan for accelerated acceptance of spent fuel from shutdown reactor sites at a federal or private central storage facility.
- Updating of the Facilities Interface Capability Assessment and the Near Site Transportation Infrastructure plans.

**Resolution of Outstanding Fuel Acceptance Issues**

- Consummation of a legally binding commitment declaring NRC-approved transportable containers to be a conforming waste form for acceptance by the Civilian Radioactive Waste Management System.
- Implementation of a DOE plan meeting its obligation for acceptance and transportation of Greater than Class C (GTCC) waste.

**Mitigating Potential Regulatory Impediments and Unnecessary Regulatory Burdens**

- Resolution of unnecessary duplicative regulations under the Nuclear Waste Policy Act and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) with respect to shutdown reactor sites.